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8 **Attorney for Plaintiff**

9 **IN THE UNITED STATES DISTRICT COURT FOR THE**
10 **NORTHERN MARIANA ISLANDS**

11 **DONGBU INSURANCE**
12 **COMPANY, Ltd.,**

13 **Plaintiff,**

14 **v.**

15 **OKP (CNMI) CORPORATION,**

16 **Defendant.**

Civil Action No. 08-0002

NOTICE OF NON-OPPOSITION TO
INTERVENTION

17 Pursuant to LR 7.1.c.2, Plaintiff Dongbu Insurance Company, Ltd. ("Dongbu")
18 hereby gives notice of its non-opposition to Intervenor Joaquin Q. Atalig's ("Mr. Atalig")
19 Motion to Intervene.

20 Dongbu does not agree that Mr. Atalig should be allowed to intervene. Under the
21 law of the Commonwealth of the Northern Mariana Islands, an underlying claimant has no
22 legally recognizable interest in any insurance coverage matter between an insured and its
23 insurer. There is no right for the claimant to bring a direct action against the insurer. 4
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1 CMC § 7502(e).¹ A claimant is not owed any duties by the insurer and “is not, and shall
2 not be considered, a third party beneficiary of such insurance policy.” 4 CMC § 7502(j).
3 The Insurance Code’s “Loss” provision also makes it clear that the claimant has no
4 “standing” to pursue the insurer. 4 CMC § 7505(h)(1). Additionally, even if Mr. Atalig did
5 have a protectable interest in the case, his rights are more than adequately represented by
6 OKP.
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8 However, Dongbu is aware that this Court allows underlying claimants to intervene
9 in insurance coverage actions, and as such, in the interest of economy, Dongbu files this
10 notice of non-opposition to Mr. Atalig’s intervention.

11 Respectfully submitted this 21st day of February, 2008.
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14 /s/
15 Thomas E. Clifford
16 Counsel for Plaintiff
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25 ¹ Amended by P.L. 14-39, effective October 26, 2004.
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